

REMARKS

Claims 1-6 and 8 - 21 are pending. By this amendment, claims 7 and 10 are cancelled. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

On page 2 the Office Action rejects claim 10 under 35 U.S.C. §112, ¶2. Claim 10 is cancelled by this amendment and its rejection is moot. Withdrawal of the rejection of claim 10 under 35 U.S.C. §112, ¶2 is respectfully requested.

On page 3 the Office Action rejects claims 1- 6 and 8 - 21 under 35 U.S.C. 103(a) over U.S. Patent 5,655,081 to Bonnel et al. (hereafter Bonnel) in view of U.S. patent 6,792,392 to Knight (hereafter Knight) and U.S. Patent 6,272,677 to Lam et al. (hereafter Lam). this rejection is respectfully traversed.

Considering claim 1, the Office Action asserts that Bonnel teaches inventorying and discovering applications, Knight teaches discovering performance management tools, and that Bonnel in view of Knight teaches modifying the configuration of the performance management tools and automatically initializing agents in response to the discovered applications. The Office Action then contends that Lam teaches automatically restarting software agents to reflect changes in the configuration of the agents, thereby eliminating the need to manual intervention.

Bonnel is directed to a system that monitors and manages application running on a distributed computing system. Manager software 200 and agent software 202 are used to coordinate execution of various applications in the computer network. For example, the agent software 202 may check a timer so that a run queue scheduler can be instructed to “wake up” when various jobs or commands should be executed. However, nowhere does Bonnel disclose or suggest that the manager software 200 and agent software 202 are used as performance management tools. That is, Bonnel is directed to scheduling and execution of applications, but most definitely not to software that collects performance management information, as one of ordinary skill in the art would understand this term. Furthermore, Bonnel’s database 49 is used to store information related to resources and applications, not performance management tools.

Moreover, Bonnel does not, as the Examiner asserts, disclose or suggest modifying the configuration of performance management tools. First, as noted above, Bonnel does not

disclose or suggest use of performance management tools. Second, the passage from Bonnel that the Examiner relies on for asserting modifying configurations of performance management tools does not, in fact disclose modification of agents, let alone performance management tools. In Bonnel, the networked computer system consists of a number of consoles. Each console registers with the agent software 202. The agent software 202 uses this registration, and a number of data structures (shown in Figure 18) to determine what information (the example disclosed is a list of parameters the console is interested in - see column 12, line 19) to pass to which console. see column 11, lines 17 - 56. What the Examiner refers to in column 12, lines 1 - 31 as "modifying configuration of the performance management tools" is in fact a modification of the information that the software agent 202 provides to each console as that console registers. However, nowhere does Bonnel disclose or suggest that either agents or performance management tools themselves are modified. What is modified, if anything, is the information request from a particular console. Collection of this information is unaffected by Bonnel's console registration process.

Knight is directed to a system for collecting hardware performance counter data. As Knight makes clear, the performance counter data is a specific type: namely, "the number of occurrences of an event." But Knight does nothing to cure the defect of Bonnel in terms of modifying configuration of performance management tools, as the Examiner implicitly admits. that is, Knight does not disclose or suggest modifying configuration of performance management tools.

Finally, the combination of Bonnel and Knight does not disclose or suggest modifying configuration of performance management tools, as recited in claim 1.

Lam is cited by the examiner as teaching automatically restarting agent software to reflect changes in the configuration of the agents. However, what Lam actually discloses is automatic restart after a download of a new code version. Lam most definitely does not disclose or suggest automatic restart after modifying configuration management tools in response to discovering and inventorying performance management tools and applications, as recited in claim 1.

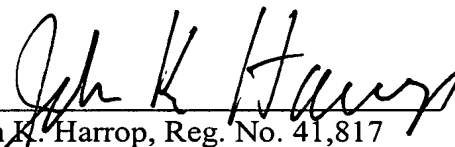
In contrast to Bonnel, Knight, and Lam, claim 1 recites inventorying and discovering applications and performance management tools; generating an inventory list of the applications and the performance management tools; using the inventory list, modifying

configuration of the performance management tools in response to the discovered applications so that the performance management tools operate differently in response to changes on the system being analyzed, wherein the configuration of the performance management tools consists of application-specific interfaces, performance thresholds, collection parameters and alarms applicable to specific performance management tools and the current operating system environment; automatically restarting, without intervention of an administrator, the performance management tools in response to the discovered applications to reflect changes to the configuration of the performance management tools.

In summary, Bonnel, Knight, and Lam, individually and in combination do not suggest all the features of claim 1, and claim 1 is patentable. Claims 12 and 19 recite features similar to those of claim 1, and for this reason, claims 12 and 19 also are patentable. Claim 10 is cancelled. Claims 2 - 6, 8, 9, 11, and 21 depend from patentable claim 1; claims 13 - 18 depend from patentable claim 12; and claim 20 depends from patentable claim 19. For these reasons and the additional features they recite, claims 2 - 6, 8 - 11, 13 - 18, and 20 also are patentable. Withdrawal of the rejection of claims 1 - 6 and 8 - 21 under 35 U.S.C. §103(a) is respectfully requested.

Respectfully submitted,

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